

REMARKS

Claims 1-26 are pending in this application. Claims 1-26 stand rejected. Reconsideration and further examination of the subject patent application in light of the RCE submitted herewith and in view of the present Amendment and Remarks is respectfully requested.

Rejections Under 35 U.S.C. §112

Claims 1, 12, and 16 stand rejected as being indefinite for use of the phrase “with configuration, real-time and call control information” In response, the phrase has been amended to clarify its meaning.

Rejections Under 35 U.S.C. §103

Claims 1-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,587,556 to Judkins et al. (“Judkins”) in view of U.S. Pat. No. 6,970,915 to Partovi et al. (“Partovi”). Applicant respectfully traverses the rejections.

In response, claims 1, 12 and 16 has been further clarified that the remote administrator is connected via a telephone and receives responses aurally via the telephone (see, e.g. p. 7-8).

Claims 1-26 are clearly differentiated over Judkins and Partovi. In this regard, Partovi is merely directed to a voice portal for customers. Judkins is directed to a script editor for interactive voice response (IVR) and ACD scripts. Neither Partovi or Judkins (or the combination of Partovi and Judkins) teaches a call center computer containing real-time configuration and call control information for agents and agent groups of the call center where the information is accessed by voice telephony requests through a call manager to provide voice

responses to a remote administrator via a telephone.

In addition, the independent claims 1, 12, and 16 concern a remote administrator responsible for management of the call center including management of the plurality of agents or configuring and monitoring call center entities, and to providing the operational information about management of the call center to the administrator. An administrator of the call center is defined in the specification as a person who is “responsible for the management of the call center” (p. 5, lines 13-19). Information about the call center is described on p. 5, lines 20-26, and in the table on page 6 of the patent specification; and by examples such as at page 12, lines 16-19 of the specification. Thus, independent claims 1, 12 and 16 clearly require providing, in aural form, operational information about the call center management including agent management to the administrator.

In contrast to the agent based call center of independent claims 1, 12, and 16, Partovi is directed to providing streaming content to general public callers. A system like Partovi would not allow its customers to have access to administrator management data. The Office Action cites Fig. 2, Ref. 107, Fig. 3, Ref. 300 and Col. 7 lines 5-30 of Partovi as teaching processing telephone requests. However, these portions of Partovi merely show a connection to a telephone gateway, and receiving telephone identifying information, and a customer setting up a profile, but does not describe providing operational information to remote administrators about the call center management (voice character/dialect information is not provided to the caller, it is used by the system) nor does it discuss providing any information to an administrator. Similarly at Col. 6, lines 25-31, Partovi merely describes the customer ability to use a telephone interface, but call center management information is not provided. Partovi streams general knowledge information

to callers instead of providing operational information about management of the call center including management of agents or configuring and monitoring call center entities. Partovi does not disclose, or provide operational information about call center management as claimed. Users of Partovi are clearly not administrators as that term is defined in the specification and claims or as would be understood by those skilled in the art. Nor do they perform the management functions required by the claims.

Claim 1, 12, and 16 are also limited to providing information about the call center management to the “administrator responsible for management of the call center.” In contrast and as demonstrated above, Partovi fails to provide any teaching or suggestion of connecting to or providing information to “an administrator responsible for management of the call center.” In fact, the Partovi system isn’t even a call center and has no agents, it is a system for providing streaming content to customers automatically over the telephone and thus doesn’t require the complex management required by a call center. Thus, Partovi’s streaming content system is an entirely different type of system than that claimed. It doesn’t present the same management issues, does not have agents, does not have processing of administrator requests and describes only customers calling for non-management information. As such, it does not suggest, nor is it suitable for, combination with Judkins.

The Office Action asserts that Judkins teaches connecting an administrator through a voice server, processing voice telephone administrator requests and providing responses. Judkins describes a call center including supervisor software 132 that allows management to manage the call center using a PC workstation (Col. 7, lines 57 to Col. 8, line 2). However, Judkins does not describe a system which allows voice access to operational and management

information. Judkins merely shows that call center administrators existed at the time of filing of the instant application. However, there is no teaching or suggestion of providing a voice response server to provide voice response processing of operational information about management of the call center. All of the cited passages of Judkins concern the workstation interface application 132 installed on a PC workstation (Col. 7, lines 66-67). In fact, Judkins teaches away a from the invention by teaching use of a workstation for on-site administrators, while the invention is directed to use of voice telephone for remote administrators. Thus, neither reference teaches or suggests processing voice telephone requests from an administrator. Combining Partovi with Judkins without the use of hindsight would merely result in a conventional system in which customers can call in for general knowledge information, and in which administrators manage the system from a PC workstation. There is no suggestion in either reference to allows administrators to call in and use voice to request operational information or receive such information in voice form. Those skilled in this art would not consider giving users of the streaming system of Partovi access to operational management information. Thus, Judkins combined with Partovi would not result in the claimed features without the extensive use of hindsight and would be contrary to the teachings of each reference. Further, there is no motivation to change the Judkins workstation system for on-site administrator access into a remote telephone voice access system. Thus, the combination of Partovi and Judkins does not teach the claimed feature of connecting remote administrators via voice telephone, processing voice requests from a remote administrator, or providing aural telephone responses to the administrator of the independent claims 1, 12 and 16; and cannot properly be combined to obtain the claimed invention without the use of hindsight. Thus, the independent claims 1, 12, and 16

are allowable over the cited references, as are claims 2-11, 13-15, and 17-26 which are dependent upon allowable base claims 1, 12, and 16.

Claims 10, 12, and 20 call for learning a pattern of access commands and automatically providing operational information based on the pattern. The Office Action asserts this is disclosed in Partovi, Col. 5, lines 15-25, and Judkins, Col. 7, lines 35 to Col. 8, line 11. However, neither reference discloses the claimed learning a pattern of access commands, or providing information based on the pattern of access commands. Partovi in Col. 5 merely describes adapting to voice character not learning of command patterns, and Judkins in Cols. 7-8 does not discuss learning command patterns at all. Thus, claims 10 and 20 are believed to be further distinguishable over the references for these reasons.

Claims 11, 14, and 23 recite that a barge in request (as described on page 12, lines 10-13), interrupts information presentations. The Office Action indicates that Partovi describes this feature at Col. 7, lines 25-30 of Partovi. However, this passage in Partovi, in Col. 7, merely describes the system recognizing that less verbose prompts are needed when the user provides commands before most prompts are finished. This describes the system recognizing a user providing inputs quickly and quickening the prompts in response, but does not describe the claimed barge-in request or an interruption of presentations. There is no barge-in request made or interruption (i.e., the prompts continue in less verbose form). Thus, these claims 11, 14, and 23 are believed to be further distinguishable over Partovi and Judkins.


For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the extension of time fee, RCE fee, petition fee, extra claims fee, issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

By: 
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